

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

Frances Robertson Plaintiff,

- against -

Merck & Co., Inc. Defendant.

*MD*  
6 ~~or~~ 01789 (JFK)

**MOTION TO ADMIT COUNSEL**

**PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the

Southern and Eastern Districts of New York, I, (Anthony C. Donofrio) a member in good standing of  
the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Paul F. Waldner, III

Firm Name: Vickery Waldner & Mallia, LLP

Address: One Riveway Drive, Suite 1150

City/State/Zip: Houston, Texas 77056

Phone Number: (713) 526-1100

Fax Number: (713) 523-5939

Paul F. Waldner, III

is a member in good standing of the Bar of the States of

Texas

There are no pending disciplinary proceeding against Paul F. Waldner, III  
in any State or Federal court.

Dated: 3/19/2008

City, State: Houston, Texas

Respectfully submitted,

Sponsor's  
SDNY Bar

Firm Name: Law Offices of Anthony Donofrio, PLLC

Address: 5518 Merrick Road

City/State/Zip: Massapequa, New York 11758

Phone Number: 516-797-9797

Fax Number: 516-977-6700

UNITED STATES DISTRICT  
SOUTHERN DISTRICT OF NEW YORK

Frances Robertson, et al  
 Plaintiff,

06-md-01798 (JFK)

vs.

AFFIDAVIT OF ANTHONY C. DONOFRIO  
 IN SUPPORT OF MOTION TO ADMIT  
 COUNSEL PRO HAC VICE

Merck & Co., Inc.  
 Defendant

State of New York      )  
                           )  
                           ss:  
 County of New York    )

Anthony C. Donofrio, being duly sworn, hereby deposes and say as follows:

1. I am of counsel at the Law Offices of Anthony C. Donofrio, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Paul F. Waldner, III as counsel pro hac vice to represent Plaintiffs in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 12/05/1990. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Paul F. Waldner III since 2004.
4. Paul F. Waldner, III is of Counsel at VICKERY WALDNER & MALLIA, LLP, in Houston, Texas.
5. I have found Paul F. Waldner, III to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Paul F. Waldner, III, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Paul F. Waldner, *pro hac vice*, which is attached hereto as Exhibit A.

**WHEREFORE** it is respectfully requested that the motion to admit Paul F. Waldner, *pro hac vice*, to represent Plaintiffs in the above captioned matter, be granted.

Dated: 3/19/08

City, State: Massapequa, NY

Notarized:

Respectfully submitted,

Name of Movant: Anthony C. Donofrio  
SDNY Bar Code:

CHRIS M. RUSSELL  
 NOTARY PUBLIC-STATE OF NEW YORK  
 No. 01RU6179552  
 Qualified in Suffolk County  
 My Commission Expires December 24, 2011

# The Supreme Court of Texas

AUSTIN

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CLERK'S OFFICE

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I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

**Paul F. Waldner, III**

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 9th day of May, 1975.

I further certify that the records of this office show that, as of this date

**Paul F. Waldner, III**

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand  
and the seal of the Supreme Court of  
Texas at the City of Austin, this, the  
3rd day of March, 2008.

BLAKE HAWTHORNE, Clerk

by Brad Sonego

Brad Sonego, Deputy Clerk

No. 0303B

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

Frances Robertson, et al Plaintiff,

6 cv 01789 (JFK)

- against -

Merck & Co., Inc. Defendant.

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

Upon the motion of Anthony C. Donofrio attorney for Frances Robertson, et al and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: Paul F. Waldner, III

Firm Name: Vickery Waldner & Mallia, LLP

Address: One Riverway Drive, Suite 1150

City/State/Zip: Houston, Texas 77056

Telephone/Fax: (713) 526-1100

Email Address: paul@justiceseekers.com

is admitted to practice pro hac vice as counsel for Frances Robertson, et al in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:  
City, State:

United States District/Magistrate Judge

**AFFIRMATION OF SERVICE**

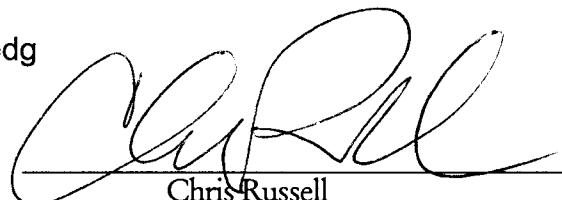
STATE OF NEW YORK      )  
                                )  
COUNTY OF NASSAU      ) ss.:  
                                )

I, Chris Russell, hereby affirms the following:

1. I am not a party to the action and am over 18 years of age;
2. I reside in Suffolk County, New York;
3. On MARCH 26, 2008, I served the within MOTION TO ADMIT COUNSEL PRO HAC VICE, depositing a true copy thereof enclosed in a post -paid wrapper, in an official depository under the exclusive care and custody of the United States Postal Service, within the New York State, addressed to each of the following persons at the last known address set forth after each name:

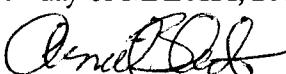
James M. Doran, Jr.  
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James E. Gray  
Michael B. MacWilliams  
Stephen E. Marshall  
David J. Heubeck  
Paul F. Strain  
Venable LLP (Baltimore)  
Two Hopkins Plaza  
1800 Mercantile Bank & Trust Bldg  
Baltimore, MD 21201



Chris Russell

Sworn to before me this  
26<sup>th</sup> day of MARCH, 2008

  
\_\_\_\_\_  
Notary Public

